

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 02 2007

Applicant: David E. Simmen      Examiner: Cindy Nguyen  
Serial No.: 10/807,871      Group Art Unit: 2161  
Filed: March 24, 2004      Docket: STL919990184US3  
Title: QUERY OPTIMIZATION TECHNIQUE FOR OBTAINING IMPROVED  
CARDINALITY ESTIMATES USING STATISTICS ON PRE-DEFINED  
QUERIES

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RESPONSE UNDER 37 C.F.R. §41.33(a)

MAIL STOP APPEAL  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated December 5, 2006, which was made final, subsequent to the filing of a Notice of Appeal, and prior to the submission of an Appeal Brief, please enter the attached Terminal Disclaimer into the above-identified application.